

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE
CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM # 1 AB 1808 Homelessness Eligibility Requirements

CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held as follows:

September 16, 2009
Office Building # 8
744 P St. Room 105
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on September 16, 2009.

CDSS, upon its own motion or at the instance of any interested party, may adopt the proposals substantially as described or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

CONTACT: Office of Regulations Development
California Department of Social Services
714 P Street, MS 8-4-192
Sacramento, California 95814

TELEPHONE: (916) 657-2586 FACSIMILE: (916) 654-3286
E-MAIL: ord@dss.ca.gov

CHAPTERS

Manual of Policies and Procedures (MPP), Division 44 (Standards of Assistance), chapter 44-200 (AU Composition and Need), Section 44-211 (Special Needs in CalWORKs).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

These proposed regulations amend specific provisions and adopt new language in the California Department of Social Services (CDSS) Manual of Policies and Procedures (MPP) that regulate Special Needs of the California Work Opportunity and Responsibility to Kids (CalWORKs) Homeless Assistance Program (HAP).

Assembly Bill (AB) 1808, Section 31.1 and 31.2 (Chapter 75, Statutes of 2006) amended the CalWORKs Homeless Assistance Program. Under the new provisions, the total maximum daily rate for the temporary HA is increased from \$40 per day to \$65 per day for families of four or fewer and \$15 per day for each additional family member up to a maximum of \$125 daily. Homelessness criteria are expanded to include families who receive a notice to pay rent or quit. The rent threshold for permanent HA is changed from 80 percent of the maximum aid payment level to 80 percent of the total monthly household income (TMHI). Permanent HA is available to pay up to two months of rent arrearages to prevent eviction. Each month of the rent arrearage payment shall not exceed 80 percent of the TMHI.

AB 1808 also result in two types of permanent HA payments, one that helps homeless families secure a permanent residence and a new type of permanent HA payment that would prevent eviction. Receipt of either of these two permanent HA payments would constitute an AU's once-in-a-lifetime payment.

COST ESTIMATE

1. Costs or Savings to State Agencies: \$1.723 million in funds have been budgeted in the 2008-09 appropriation, no further funds will be needed as cost are now reflected in caseload and expenditure trends.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500 - 17630: None
3. Nondiscretionary Costs or Savings to Local Agencies: \$0.310 million in funds have been budgeted in the 2008-09 appropriation, no further funds will be needed as costs are now reflected in caseload and expenditure trends.
4. Federal Funding to State Agencies: \$15.341 million in funds have been budgeted in the 2008-09 appropriation, no further funds will be needed as costs are now reflected in caseload and expenditure trends.

LOCAL MANDATE STATEMENT

The regulations do impose a mandate upon local agencies, but not upon school districts. There are no state-mandated local costs in these regulations which require state reimbursement under Section 17500, et seq. of the Government Code because there is no estimated increase in local costs associated with the implementation of these regulations.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

ASSESSMENT OF JOB CREATION OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action.

AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Sections 10553, 10554, 10604, 11209, and 11450(g) of the Welfare and Institutions Code. Subject regulations implement and make specific Section 11450 (f)(2)(A)(i), and (B), Welfare and Institutions Code, AB 1808, Section 31.1 and 31.2 (Chapter 75, Statutes of 2006).

CDSS REPRESENTATIVE REGARDING RULEMAKING PROCESS OF THE PROPOSED REGULATION

Contact Person:	Sue Tognet	(916) 657-2586
Backup:	Sandra Ortega	(916) 657-2586